#### SEP fi 8 2005

### VIA FACSIMILE: 1-703-872-9306

Atty. Docket No. FLO03 P-300A

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit

SEP-08-2005 17:49

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Examiner Applicant

Abraham Bahta Timothy J. Flohe

Appln. No.

10/749,603

Filing Date

December 31, 2003

Confirmation No.

8522

For

PROCESS FOR MAKING ORNAMENTAL DEVICE

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

# CERTIFICATION OF FACSIMILE TRANSMISSION

In response to a telephonic request by the Examiner on September 6, 2005, I hereby certify that the following papers are being transmitted by facsimile to the Patent and Trademark Office on the date shown below:

- Terminal Disclaimer To Obviate A Double Patenting Rejection Over A "Prior"
   Patent (prior Patent No. 6,783,815) (in duplicate) with fee to be charged to
   Deposit Account No. 16-2463, and
- Terminal Disclaimer To Obviate A Double Patenting Rejection Over A "Prior"
   Patent (prior Patent No. D472,183) (in duplicate) with fee to be charged to
   Deposit Account No. 16-2463.

YOU SHOULD RECEIVE A TOTAL OF 5 PAGES.

September 8, 2005

Date

Delegrah A. Clark

Price, Heneveld, Cooper,

DeWitt & Litton, LLP

695 Kenmoor, S.E.

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Grand Rapids, Michigan 49501

(616) 949-9610

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TERMINAL DISCI AIMER TO OBVIATE A DOUBLE PATENTING	FLO03 P-300A	
REJECTION OVER A "PRIOR" PATENT	11 12003 1 30071	
In re Application of: Timothy J. Flohe		
Application No.: 10/749,603	·	
Filed: December 31, 2003		
For: PROCESS FOR MAKING ORNAMENTAL DEVICE		
The owner*, Timothy J. Flohe of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,783,815 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby disclaims, the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby disclaims, and the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby disclaims, and the term of said prior patent is defined in 35 U.S.C. 154 the expiration of the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.		
In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:  expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is found invalid by a court of competent jurisdiction;		
is found invalid by a court of competent juristication, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortene is in any manner terminated.	d by any terminal disclaimer.	
Check either box 1 or 2 below, if appropriate.		
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2. X The undersigned is an attorney or agent of record. Reg. No. 35 502		
Munchen & Suami	09/08/2005	
Signature	Date	
- Oignaturo		
Gunther J. Evanina		
Typed or printed name		
Typed of printed name		
•	(616) 949-9610	
1	Telephone Number	
X. Terminal disclaimer fee under 37 CFR 1.20(d) included.		
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1	<b>\</b>	
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For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and that such wilful false made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.		
2. X The undersigned is an attorney or agent of record. Reg. No. 35 502		
Muncho J La. Signature	09/08/2005 Date	
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Gunther J. Evanina  Typed or printed name		
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	Telephone Number	
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Gunther J. Evanina		
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